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SUMMARY RECORD OF THE 25th MEETING (SECOND PART*)

Held at the Palais des Nations, Geneva,
on Thursday, 19 August 1993, at 3 p.m.

Chairman: Mr. AL-KHASAWNEH

CONTENTS

The new international economic order and the promotion of human rights:

(a) The role and equal participation of women in development

The realization of economic, social and cultural rights (continued)

* The summary record of the first part of the meeting appears as document E/CN.4/1993/SR.25.

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THE NEW INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS:

(a) THE ROLE AND EQUAL PARTICIPATION OF WOMEN IN DEVELOPMENT (agenda item 7)

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 8) (continued) (E/CN.4/Sub.2/1993/18 and Add.1; A/CONF.157/PC/173)

1. Mr. PEREZ CASAS (American Association of Jurists) said that the colonial Powers had imposed on Latin America an economy based on raw-materials exports and an economic and social structure characterized by strong social differentiation and concentration of land ownership. The indigenous peoples had been deprived of their lands and used as slave or semi-slave labour, in what had been a veritable genocide. Another characteristic of relations between the third world, including Latin America, and the developed world was the unfair trade structure, in which the third world exported inexpensive raw materials and imported expensive manufactured products and technology.

2. The relative prosperity of some Latin American countries following the Second World War had faded away as a result of a new international economic situation characterized by industrial reconversion (automation and robotization) and the oil crisis, which had led to crises in traditional industrial sectors, an increase in unemployment, an accumulation of idle capital and a dizzying rise in financial speculation. Popular resistance to the resulting social regression had in several Latin American countries led to the emergence of military dictatorships aimed at ensuring orderly transition to the model imposed by the multinational corporations. During that period, the external debt of several Latin American countries had increased rapidly, owing to the lending of petrodollars by the multinational banks under one-sided conditions to dictatorial and corrupt Latin American regimes. A miracle cure had then been offered by the International Monetary Fund (IMF): adjustment policies. If the exorbitant interest rates and disproportionate fees and commissions were disregarded, each country's debt would be much smaller or even non-existent. The multinational corporations, and especially financial institutions, continued to reap enormous profits from the ongoing recession: the Union Bank of Switzerland had just announced that its profits for the first half of 1993 had risen by 89 per cent over 1992.

3. The trend towards concentration of wealth in small groups, in both the developed and developing countries, and the growing impoverishment of the population had been continuing for years, based on financial speculation, the decline in real wages, the dismantling of social security, the privatization of public enterprises under conditions that amounted to the looting of the national heritage, the monopolistic prices of advanced technology and services, the steady decrease in raw-materials prices and the transfer of many industries to low-wage areas.

4. The adjustment policies put forward by IMF to renegotiate the external debt were harmful to the developing countries. Foreign trade liberalization allowed the multinational corporations to sell their products in unprotected markets, thereby ruining national enterprises; monetary devaluation made labour and export products cheaper; prices were decontrolled and wages frozen, public spending reduced and State enterprises privatized. The World Bank proposed the privatization of health services to improve care for the poor,

which would make one of the basic human rights a profitable business. It was easy to see that if that trend continued, health would become an unattainable luxury for the poor. Those policies were leading to a new "Fujimori-based" model, as an alternative to the traditional constitutional parliamentary model, in which the traditional party and trade-union system fell away and the Chief of State himself emerged as the centre of governmental decision-making, supported by a business class and a civil and military techno-bureaucracy.

5. The most dramatic example of the effect of the multinational corporations' policies on human rights in Latin America and the Caribbean was Haiti. The coup against President Aristide could be explained by the active opposition of the United States Agency for International Development to the raising of the minimum wage - 14 cents per hour - earned by workers in the in-bond assembly plants. The fact that the military remained in power despite condemnation by the international community and the embargo ordered by the Organization of American States could be attributed in large measure to the powerful United States interests which benefited from the current situation. Technological progress should be used not to reduce wages or leave people unemployed, but to pay decent wages and shorten the working day. Work time and wages must be redistributed more equitably between capital and labour. To that end, three changes must be sought: (1) National societies must function on genuinely democratic bases, with the broadest participation by all in decision-making; (2) Far-reaching democratic reforms must be made in the international financial institutions; and (3) there must be full respect for the right of peoples to self-determination, including their right to choose their own development and their sovereignty over their own natural resources.

6. Two immediate measures advocated by his organization were the adoption of a resolution by the General Assembly declaring violations of the right to development and of economic, social and cultural rights to be international crimes, and the formulation of an appropriate Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

7. Mr. CISSE (Secretary of the Sub-Commission), referring to a question raised by Mrs. Warzazi at the 23rd meeting, said that a letter had been sent on 7 April 1992 to States members of the Asian region to ascertain whether a Government would be prepared to host the second regional Seminar on traditional practices affecting the health of women and children. Only on 24 April 1993 had the Government of Sri Lanka informed the Centre for Human Rights that it would be pleased to host the Seminar. The date and arrangements for the Seminar would therefore be determined by the Government of Sri Lanka and the Centre.

8. Regarding assistance by consultants to Special Rapporteurs of the Sub-Commission, members were aware of the Centre's precarious financial situation. Without a significant increase in the allocation of financial and other resources to human rights programmes, the Centre could not guarantee that it would be in a position to carry out all the mandates entrusted to it. He hoped members would understand the situation.

9. Ms. GOTTLICHER (International Educational Development) said that her organization was pleased to note that 10 years of discussion in the United Nations had concluded with recognition of the fact that it would not be possible to resolve global or national problems without improving the role of women in development. As followed from the report of the Secretary-General to the Commission on the Status of Women (E/CN.6/1992/8), United Nations activities focused on specific aspects of that issue, such as strengthening international and national mechanisms for the advancement of women, improving mechanisms for resolving the unequal situation of women and elaboration of concrete issues preventing direct participation by women in development. She hoped that focus would make a reality of the principles of the Convention on the Elimination of All Forms of Discrimination against Women and the Nairobi Forward-looking Strategies for the Advancement of Women.

10. During the 10-year period of elaboration of the theoretical framework for the integration of women into development, the dimensions of the issue had greatly increased. In the republics of the former Soviet Union, progress had been slow. The first results of Russian economic and political reforms had not represented a real improvement in women's involvement in the new democratic institutions. Russian women, following the worst examples of some developing countries, were gradually losing their economic independence, which was the fundamental component of women's participation in the democratization process.

11. Major obstacles, such as lack of peace, feminization of poverty, unemployment, segregation by gender in the labour market and migration, were becoming the backdrop for more serious events. For example, female criminals were turning to typically male types of crime, such as murder and drug-trafficking. Forty-five per cent of women in Russian prisons were accompanied by children, punished together with their mothers in a reflection of the morality inherited by Russia from the previous regime. However, the position of women was expected to improve soon as a result of corrective labour legislation already being considered.

12. In such circumstances it was understandable that more than 70 per cent of Russian women did not support the new reforms. They did not find that contemporary Russian legislation offered them economic and social security. Her organization supported the idea expressed in the Secretary-General's report on the importance of developing statistics for building the gender dimension in all areas of life; that was necessary for national as well as international institutions. Documents showed that United Nations bodies did not have sufficient information. For example, the third periodic report of the Soviet Union to the Committee on the Elimination of Discrimination against Women (CEDAW/C/USSR/3) had been accepted by the Committee as the report of the Russian Federation, whereas it had contained information not about Russia but about all the other former republics of the Soviet Union. United Nations bodies often had little or no information about the status of women in those and other new sovereign States that had appeared after the disintegration of the Soviet Union. Moreover, most of those countries were not parties to the Convention on the Elimination of All Forms of Discrimination against Women or other human rights instruments.

13. In conclusion, she welcomed the idea expressed in the Secretary-General's report that there could be no effective accountability without strengthening lobbying and advocacy skills among women's movements and non-governmental organizations.

14. Mr. KIRKYACHARIAN (Movement against Racism and for Friendship among Peoples) said that he wished to express some views based on the 1993 Human Development Report of the United Nations Development Programme. It was the role of the non-governmental organizations to put forward requirements of a social or moral nature, which were the priority concern, to which the study of objective data must be adapted. The methodological discussions surrounding the definition of the human development index (HDI) had a significance well beyond the narrow circle of specialists concerned. It was no exaggeration to say that resolving the problems of development was a moral obligation for all.

15. His organization, like many others, believed that it would be reasonable to pave the way by cancelling the developing countries' debt, revaluing the prices of the raw materials they exported, halting the sale of arms (which should not be included in official development assistance statistics), and significantly raising the developed countries' assistance to levels recommended by the United Nations. But it was clear that the developing countries must count first of all on themselves. It was not sufficient to say, as the authors of the UNDP report had done, which factors weakened them at the global level; it must be acknowledged that they could not "take off" towards social development if they had to meet the requirements of IMF and the World Bank, institutions whose main concern was not social development. Why should there not be free-trade zones for commodities, outside the international monetary system? Currency circulation, even in the developed countries, only widened the gap between rich and poor.

16. Turning to the role of women in development, he said that it might be preferable to speak of the place of women in social development. As the UNDP report stated, the disparity of the indices calculated by sex affected all countries, even the most developed. It was a well-known fact that women participated significantly in the economic and social life of the developing countries, which was not reflected in the economic indicators, but that women and girls had higher sickness and mortality rates than men and a large proportion of them died in childbirth. And the importance of women in education should not be overlooked: their absence was no doubt an important factor in the increase of "street children" in many countries of the South. For all those reasons, purely economic considerations were insufficient when making estimates of social development; structural inequalities, including the inequality affecting women, must be taken into account.

17. There had been a tremendous increase in population transfers over the past four centuries. They were not a spontaneous phenomenon. The destruction of rural economies during the past two centuries in Europe and at least 50 years in Latin America, Africa and Asia represented historical violence and certainly not the spontaneous development of societies. Together with the wars afflicting certain regions for the past 30 years, that trend had swelled the mass of refugees in the South, to the point where the European countries often refused to consider asylum-seekers and economic refugees as

part of the same category. That distinction was unfair, as the situation of the Turkish Kurds and the Palestinians in the occupied territories clearly indicated.

18. Mr. PORRET (International Fellowship of Reconciliation) said that his organization had always welcomed the interest displayed by the Sub-Commission in economic, social and cultural rights and the right to a healthy environment. However, as the Chairman of the Commission on Human Rights had remarked, those rights had not received the same attention as civil and political rights; the Sub-Commission and Commission should make up for that lack of interest through appropriate proposals and studies.

19. Practically speaking, little progress appeared to have been made recently. The World Bank, which had been financing most of the construction of the Sardar Sarovar dam, had withdrawn from the project following publication of a report concluding that the dam was repeating the same mistakes as the Aswan dam. Although that withdrawal was welcome, considerable sums of money had been invested and the Government of India appeared to be having difficulty turning back. If built, the dam would entail the evacuation of 40,000 people, and the destruction of 193 villages and 3,000 temples - including some very ancient ones; 10,000 hectares of forest and fertile land would be submerged.

20. The establishment of military zones on the frontiers of the States of the Amazon basin was of particular concern. Such zones were a threat not only to an already fragile environment, but also to the Indian populations living there.

21. The developed countries, hard hit by the economic crisis, could not hope to find viable solutions without abandoning the narrow neo-liberal approach of immediate profit for the wealthiest. For example, Swiss railways were considering eliminating a large number of lines in regions that had been heavily affected by the economic crisis. Another measure, fortunately postponed, had been to increase the price of season tickets by 40 per cent, which would have discouraged use of the railway, which was the most ecological means of transport and the one preferred by the people. The State appeared to have few legal means of action, and it might be asked what were the real reasons for such an antisocial, even dictatorial, policy. Government agencies throughout the world also appeared to be forgetting that they were there to serve the public. There was a worldwide trend towards loss of State power to anonymous investors. In addition, macroeconomic decisions were increasingly being taken in far-off centres, a phenomenon that had been largely responsible for the fall of the USSR.

22. In conclusion, his organization expressed the hope that economic, social and cultural rights and environmental problems would become one of the main concerns of the United Nations.

23. Mr. DILLOWAY (International Humanist and Ethical Union) said that the economic, social and cultural domain was impelled by the human motives of power-seeking, self-interest and legalized deceit that towered over a shaky frame of law, some mutual aid and a still nascent code of rights and duties. To understand the working of that mix, it was necessary to look to the

Adam Smith model of economics, conceived for the static world of 1776, in which competition had been the best way to serve the common interest. In the grotesquely different modern world, where the globe was the unit, and producers, consumers and States differed widely in their power, wealth and sophistication, that basic theory had survived as the unquestioned wisdom for 75 per cent of the world's people. The same adversarial principle applied to the theory of government had produced what was now called parliamentary democracy.

24. Today, not surprisingly, both those systems were in long-term decline and riddled with poverty, secrecy and corruption. The economic system could not work at either the global or national level. However, since competition fired ever-rising productivity per head, a frantic search for greater output not only negated natural and social environments and those sources of life on which all depended, but also reduced total employment. Essential public services, the life-blood of human rights, were privatized to shore up the ailing system. At the same time the combative ethos of "free" market economics not only destroyed habitats and livelihoods, but jeopardized mankind's deep social urges for affection, mutual aid and cooperation.

25. To promote a real code of rights and duties in an ill-socialized world, cooperative behaviour must be encouraged and anti-social behaviour discouraged. That would appear to be the lesson currently being disclosed by the disastrous effects of abrupt changes of regime in the former Yugoslavia and USSR.

26. He concluded with a description of a major new example of the part played by human motives with regard to economic and social rights in mature market democracies. In recent years, London's printing and associated photographic works had been concentrated and relocated in a former docklands area, posing a possible major hazard to public health through air and water pollution. The situation was unique in that it had been virtually impossible to achieve publicity, despite a petition producing 1,645 signatures complaining of asthma, meningitis and cancer. In a world still dominated by the simplistic realities of 1776, therefore, human rights protection must be ever more closely linked to the one strong disinfecting force that remained - the fullest public access to reliable information.

27. Ms. COTTIER (Indigenous World Association) said that she would focus on the effects of population transfers since 1953 and the impact of advanced colonialism on indigenous communities. In 1953, the United States Congress had passed a bill referred to as the "Termination Act", which provided for a mass exodus programme aimed against individuals and negotiations with tribal governments aimed at reaching cash settlements in order to abrogate treaty rights. In reality, individuals had been directed to urban ghettos and vocational training with little career opportunities. The young people now growing up on the reservation were also stuck in an isolated ghetto, with very little future and little hope.

28. Affirmative action programmes established to remedy inner-city poverty were rarely effective in serving the needs of indigenous communities who, in urban areas, accounted for less than 1 per cent of the total population,

representing what was commonly referred to as an invisible minority. In rural areas, isolation and lack of economic and resource development opportunities had also limited indigenous communities' ability to overcome conditions of extreme poverty.

29. The cultural deprivation resulting from policies geared towards assimilation prevented the development of indigenous languages, religions, governance and culturally relevant forms of economic development. At the current stage, even a reformulation of policy was not likely to counteract the effects of more than a century of genocide and ethnocide. Indigenous peoples were and continued to be the victims of ethnic cleansing.

30. In order to recognize and give proper weight to the unique problems of indigenous peoples, it was imperative that: (a) the declaration of indigenous rights should reflect in the strongest language possible the desires of indigenous peoples to exercise all their rights; (b) a decade for indigenous people should be declared by the General Assembly of the United Nations; (c) measures should be taken to appoint an ombudsman to monitor the implementation and effectiveness of current national policies regarding indigenous peoples; and (d) a study should be carried out on how to remedy situations of extreme cultural deprivation among indigenous communities.

31. Ms. CHISZAR (Women's International League for Peace and Freedom) said that her organization was deeply concerned about the deteriorating human rights situation resulting from policies imposed by the international financial institutions. It had been one of the sponsors of a public hearing on the effects of those institutions' policies on civil, political, economic, social and cultural rights and the right to development, held during the World Conference on Human Rights in Vienna.

32. Mounting unemployment, poverty, hunger, cutbacks in spending on health, education, housing and social services, and price hikes were eroding the quality of life of the majority of the world's people. As people organized to protest against those policies, militarization and repression were intensifying, causing gross violations of civil and political rights. The policies of the international financial institutions were also largely responsible for severe environmental devastation.

33. According to UNICEF and the Economic Commission for Africa, some 6 million children under the age of five had died each year since 1982 as a consequence of structural adjustment. Rather than providing their people with basic necessities, developing countries had been transferring their resources to the banks and institutions of the North, resources equivalent to six Marshall Plans according to the estimate by Susan George in her book The New Internationalist. Although they were agencies of the United Nations, IMF and World Bank policies violated the aim of the Charter of the United Nations to promote social progress and better standards of life in larger freedom and many of the provisions of the Universal Declaration of Human Rights.

34. The effect of structural adjustment on women was completely at variance with the aims of the Forward-looking Strategies for the Advancement of Women adopted in Nairobi and all related international instruments. UNICEF

estimated that health services had been cut by 50 per cent and educational services by 25 per cent in the 37 poorest countries, while UNDP had shown that poverty was increasing alarmingly worldwide. For women, that meant higher malnutrition and infant mortality rates, a rising proportion of high-risk pregnancies, babies with very low birth weight and signs of mental retardation and increased prevalence of disease. Women were obliged to spend even more time caring for children and sick family members as health services were cut or privatized, putting them beyond their reach. Falling educational achievement further eroded the status of women and had a negative effect on family life, children's education, health and population control. Lack of child care and other social services and increased transportation costs further impeded women's access to education.

35. IMF and World Bank conditionalities had increased the burden on rural women with regard to food production and the maintenance and reproduction of human resources. Reports from members in the Philippines indicated that women had lost control over food production and the right to use land, as the emphasis on cash-crop production had caused their dislocation. The rising costs of agrochemical inputs had greatly decreased women's agricultural productivity, and large-scale agribusiness and extractive industries had displaced small subsistence farming economies which were the domain of women. Women became out-migrants who trooped to the cities and became marginal workers. The promotion of tourism had seen an increase in all forms of sex trafficking - prostitution of women and children, sex tours, and mail-order brides. Frustration and aggression resulting from deteriorating economic conditions had caused increased violence against women in both the domestic and public spheres.

36. The crippling debt could never have been contracted and structural adjustment could never have been imposed if democracy had reigned at the national and international governmental and institutional levels. The foreign debt of the developing countries had already been largely or entirely repaid, yet the debtor countries had begun the 1990s with 61 per cent more in debt than they had in 1982. Unless the negative transfer of resources was reversed and resources committed to human needs rather than to debt servicing, all indications were that poverty would increase, thus jeopardizing peace and security.

37. The Women's International League for Peace and Freedom supported the appointment of a Special Rapporteur on the relationship between income distribution and the realization of economic, social and cultural rights. The Rapporteur could investigate the extent to which structural adjustment policies had helped to widen the gap between rich and poor, and consider the impact of adjustment on the distribution of land, technology, and other productive assets. She again called for the adoption by the United Nations of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to permit individuals and groups to lodge complaints with the Committee on Economic, Social and Cultural Rights.

38. Mrs. LOPEZ (International Indian Treaty Council), speaking on agenda item 7, said that in its resolution 1161 (XII) of 26 November 1957, the General Assembly had stated that balanced and integrated economic and social development would contribute towards the promotion and maintenance of peace

and security, social progress and better standards of living, and the observance of, and respect for, human rights and fundamental freedoms for all. That conviction, which informed the Charter of the United Nations and the Universal Declaration of Human Rights, was also expressed in the third preambular paragraph of the International Covenant on Economic, Social and Cultural Rights.

39. In its resolution 15 (XXV), the Commission on Human Rights had asserted that the ultimate objective of any effort to promote economic development should be social development of peoples, the welfare of every human being and the full development of his personality, while the conference held in Santiago, Chile, on indigenous peoples and the environment had stressed the importance of the contribution made by indigenous women in all activities connected with development and the environment.

40. Indigenous peoples had been disregarded in development programmes, and the so-called development process had exploited and humiliated indigenous women, denying them access to the education and health systems essential for development. Centrally inspired development programmes failed to address the demands of indigenous people or to respect their economic, social and cultural rights. In the name of development, whole peoples had been destroyed or compelled to live in poverty and cultural destitution.

41. Although peace was the prime requisite for development, there could be no development while racial discrimination, repression, torture and disappearances persisted. There could be no development until indigenous people were allowed effective ownership of their lands. Her own experience as a Maya from Guatemala had made her only too familiar with the problems faced by indigenous women in participating in development.

42. The National Coordinating Council of Guatemalan Widows estimated the number of widows in Guatemala resulting from the domestic armed conflict at 50,000 and the number of fatherless children at 250,000. In addition, there were about 1 million displaced persons and refugees in Guatemala, the vast majority of whom were Indians who had lost their land. Guarantees were necessary for the displaced persons to return to their villages and the refugees to their own countries. In August 1993, she had had firsthand experience of the climate of repression and impunity when she had taken part in a demonstration in Colotenango calling for the disbandment of the civilian self-defence patrols. The peaceful demonstration had been brutally put down by the patrols, who had killed one of the demonstrators and injured many others.

43. Development was impossible while such a climate of repression persisted. Peace was the prerequisite for development, and there was an urgent need for the discussions between the Government and Unidad Revolucionaria Nacional Guatemalteca to resume in order to reach agreement on respect for human rights and fundamental freedoms. When peace prevailed, indigenous women would be prepared to shoulder their part of the burden in order to ensure the development of their communities.

44. Mr. PATTEN (National Aboriginal and Islander Legal Services Secretariat) said that economic, social and cultural rights were all too frequently

denied their status as real rights, when what was needed to make them legally enforceable was the political will to implement them. The ideological climate of the cold war and dogmatic adherence to so-called free-market mechanisms had inhibited the consolidation and realization of all human rights and given support to the view that the State's role in that respect was inappropriate or even illegitimate.

45. From an indigenous perspective, all aspects of community life were interdependent, and his organization welcomed the conclusion of the Vienna Conference regarding the indivisibility, interdependence and interrelation of all human rights, whose foundation lay in common article 1 of the Covenants.

46. His organization had listened with surprise and regret to the statement made by the United States of America to the Working Party on Indigenous Populations on 23 July 1993. President Clinton had assumed office with a heightened commitment to the promotion and protection of human rights, but that statement was characterized by rigidity and hostility towards indigenous rights. Moreover, it contained a basic contradiction: while purporting to endorse much of what was contained in the draft universal declaration on the rights of indigenous peoples, it attacked the conceptual foundations of that instrument. The United States identified the subject of the draft declaration as "persons belonging to indigenous groups", although it had been firmly established and understood by the international community that the focus of the Working Group was to be indigenous peoples, since the integrity of indigenous persons could only be protected by ensuring the integrity of indigenous societies.

47. The draft declaration had evolved along the same path as other United Nations instruments; the inherent rights of indigenous peoples had been identified, recognized, discussed and debated. It was agreed by the members of the Working Group, indigenous delegations and a number of Governments that the right to self-determination lay at the heart of indigenous rights. The debate on the right to self-determination had gone far beyond the stark dichotomy of statehood and integration.

48. The United States position that many indigenous rights were not recognized in international law was incomprehensible in the light of practice in the United States itself, where the relationship between the United States and most of the Indian nations within its borders had initially been defined by bilateral treaties with those nations. The earliest federal jurisprudence had recognized Indian societies as nations with an inherent right of self-governance. The last five United States Administrations had expressly recognized the rights of Indian tribes and nations to self-determination. That political relationship was not with persons belonging to Indian nations, but with nations as distinct entities. Moreover, the United States Supreme Court had frequently recognized that the governmental institutions and practices of the Indian nations were neither derived from nor limited by the United States Constitution.

49. Other examples of State practice towards indigenous peoples included the Cuna Comarca in Panama, the recent recognition of indigenous rights to vast tracts of land in the Colombian Amazon Basin, home rule in Greenland and the

advent of Saami parliaments in the Nordic countries. Although none of them were in complete conformity with the emerging standards, they recognized an important trend towards recognition of indigenous rights.

50. Unfortunately, given the United States Government's historical and current treatment of its population of African descent, its position on the draft declaration was hardly surprising. His organization was concerned that the obvious inability of successive United States Governments to deal with the situation of Africans in the United States had blinded them to the legitimacy of indigenous peoples' claims for self-determination.

51. In conclusion, he expressed the hope that the Clinton Administration would review the current United States position on indigenous rights, despite the regrettable absence of signals of such an intention at the current session.

52. Mrs. SPALDING (International Association of Educators for World Peace), speaking on agenda item 7, said that the role of young people in the formation of a new international economic order and their direct participation in the promotion of human rights were of inestimable value. Her organization had invited its interns who had come to Geneva to choose one issue relating to the formation of a new international economic order: one of the interns, Mr. Garvey, would address the issues that concerned him most deeply.

53. Mr. GARVEY (International Association of Educators for World Peace) said that mankind had a common birthright to a clean environment, to clean air and water, and to the wealth offered by nature. The earth's natural ecosystems had almost all been distorted by human activity and the most basic human right, the right to life, was endangered. Distinguished thinkers had made disturbing predictions about mankind's future, and individuals had no choice but to change their own lives in every way possible. The development of new markets and jobs connected with environmentally safe products was an encouraging feature that deserved support in the form of tax incentives and preferential trade agreements. On some campuses, students had adapted buildings to make use of environmentally friendly forms of energy, conscious of the fact that, as Mrs. Ksentini had observed in her interim report, the environment and human rights were inseparable. If mankind cared about its children, it should follow the example of the native Americans, for whom each action taken should show regard for future generations even to the seventh generation. The technologies necessary to provide unlimited clean air, water, food and energy were available. The question was whether there was the will to implement them.

54. Mrs. SPALDING (International Association of Educators for World Peace) said that her organization joined in welcoming the new Commission on Sustainable Development and hoped that, together with the Commission on Human Rights, it would make a fundamental contribution to the healing of the world. With regard to agenda item 7 (a), her association noted that seminars were to be held with the purpose of examining multiculturalism and the role of women in international bodies, and expressed appreciation to those involved.

55. On the specific issue of the promotion of human rights, one of the most serious threats was the lack of funding which affected the whole spectrum of

human rights bodies. New approaches were necessary. One possibility would be to use individuals or groups invited to serve as Human Rights Ambassadors from the Arts to form the core of United Nations fund-raising efforts. The considerable donations made from the proceeds of some world film premières were an example of the potential funds that could be raised; they should be paid into the United Nations General Fund, which had never been fully used. The details of the idea would be presented in the form of a full proposal when the Commission on Human Rights met in February. Her association felt that every encouragement should be given to the process under agenda item 7 and the opportunity to incorporate a vital new source of creative action into efforts to increase fund-raising should be seized.

56. Mr. GARVEY (International Association of Educators for World Peace), speaking on agenda item 8, said that the prevalence of fear among the nations of the world, rather than a desire to realize economic, social and cultural rights, was in stark contrast to the time of great hope that had followed the Second World War, when the United Nations had come into being and many humanitarian and activist groups had begun to develop.

57. The situation regarding access to education was quite troubling, even in the United States, with serious consequences for youth. The President of the United States Student Association had emphasized her organization's belief that it was imperative for all nations to have a high level of education and its regret that the substantial budget deficits and federal budget cuts diminished access to higher education, which had gradually become a privilege. The Federal Government only allocated 2 per cent of its total budget for education funding, and it was sad to note that the United States maintained a high military budget, while some of its former enemies had cut their military spending by 80 per cent.

58. That imbalance was most apparent among the minority groups in United States colleges. While in the mid-1970s the proportion of middle-income African-American and Latino students had been equal to, and in some cases higher than, white middle-income students, 20 years later they only represented 15 per cent of students enrolling as undergraduates and 8 per cent of graduates. The question whether that was a direct consequence of the disproportionate ratio of military spending to educational spending could not be ignored.

59. It was appalling that so few countries complied with the guidelines and recommendations for objective information on military matters, contained in General Assembly resolution 47/54, and with General Assembly resolution 40/91, in which the General Assembly reiterated its recommendation that all Member States should report annually their military expenditures for the latest fiscal year for which data were available. Furthermore, it was essential that countries should also report the ratio of their military expenditure to their educational expenditure, not only to the Secretary-General, but also to the Sub-Commission under agenda item 8. Although the General Assembly had, in paragraph 8 of resolution 40/91 B, stressed the need to increase the number of reporting States, only 18 out of 184 countries had replied.

60. If the present generation were not to be known as the dreamers of the nineties, it was necessary to break the mould of fear and to manifest the

courage to create the reality of dreams. The demand for education, which was one of the key tools in achieving that goal, should be forcefully pressed. Without education there was no hope; without hope there was no future.

61. Ms. PARKER (International Educational Development, Inc.) said that population transfer was one of the most pressing human rights issues in the contemporary world. Since its founding, her organization had addressed mass population transfers, providing funds and materials for many displaced persons, and legal protection for refugees and their defenders through the "sanctuary" movement. The initiative taken by the Sub-Commission to study the human rights dimension of population transfer had begun well, on the firm foundations of the reports of Mr. Al-Khasawneh and Mr. Hatano (E/CN.4/Sub.2/1993/17), Mrs. Mbonu (E/CN.4/Sub.2/1991/47) and Mrs. Palley (E/CN.4/Sub.2/1992/WP.1).

62. Turning to specific cases of population transfer, she said that the situation in Tibet had been discussed in her organization's written statement (E/CN.4/Sub.2/1993/NGO/19); the population transfers in the Israeli occupied territories had already been addressed as violations of article 49 of the fourth Geneva Convention. In Sri Lanka, the policy of population transfer initiated by the British colonizers was being pursued by the Sinhala-controlled post-colonial Government, which had compounded animosities deriving from the colonial period. The transfers were designed to change the demography of the Tamil homeland and to confine the Tamil people to the Jaffna peninsula.

63. In the Baltic States, legislation in the form of citizenship laws had been enacted to persuade, rather than physically force, Russian, Jewish and other peoples to leave. Estonian citizenship legislation had already been roundly condemned by the European Community and by the Conference on Security and Cooperation in Europe, while in Latvia openly anti-Semitic tendencies had forced more than one half of Latvia's Jewish population to flee. It was particularly disturbing to note the claim by a high government official that Latvia was using South Africa as a model to solve its "ethnic question". In Bhutan, the Government was engaging in a policy of so-called "voluntary migration forms", which had a racist basis: heads of families were ordered to appear at district courts to apply for emigration.

64. International legal standards regarding population transfer were clear. The difficulty in addressing population transfer was its very scale, in conjunction with the tendency of Governments to turn their heads when it was politically expedient. A further reason was perhaps simply ignorance of what action was appropriate. Accordingly, her organization viewed with great interest the suggestion that the Sub-Commission should consider inviting its rapporteurs to make on-the-spot visits to areas in which population transfer was being carried out. Their firsthand experience might generate critical thinking on remedies and she urged the Sub-Commission to take that step.

65. Mr. WAREHAM (International Association against Torture) said that the special significance attached by his organization to those agenda items which addressed economic, social and cultural rights was due in part to the constant struggle to achieve recognition for them as equals with their

predecessors, civil and political rights. The need to preserve the integrity, indivisibility and equality of all human rights had been recognized by all those who had signed the Vienna Declaration, including the United States.

66. The decision by the United States to agree to the Vienna Declaration had represented an apparent about-turn, given its previous fierce opposition to parity between economic, social and cultural rights and political and civil rights. However, acceptance of the Vienna Declaration appeared to have been merely an opportunistic exercise, as at the relatively media-free session of the Economic and Social Council immediately following the Vienna Conference, the United States had voted against the resolution on the right to development.

67. His organization maintained that if the United States were to fulfil the promise made in Vienna to ratify the International Covenant on Economic, Social and Cultural Rights, it would open itself to criticism that would jeopardize its self-styled reputation as the world's leader in human rights. By recognizing the right to development, it would render itself accountable for the violations of the rights of its own African, indigenous, Puerto Rican and Chicano-Mexican peoples. United States domestic policy on development was clear from its shocking health-care statistics. The infant mortality rate for black babies was more than double that for whiles, and their low birth weight entailed a whole series of health problems ranging from mental retardation to blindness. A study published in the New England Journal of Medicine had expressed concern about the general health status of black women during the prenatal period and before conception, which it had attributed to profound social inequities.

68. A recent article in the International Herald Tribune about the reappearance of infectious diseases in the former Soviet Union had described as shocking the spread of infectious diseases in a highly developed country. However, those same conditions prevailed within the black and Latino communities in the United States, which was universally acknowledged to be a developed country. In the urban United States, the incidence of tuberculosis, hepatitis A, syphilis and other diseases was soaring, leading to situations that had not been seen there since the turn of the century and were worthy of underdeveloped countries. Doctors had described the health problem as being essentially attributable to the social dimension of being black, living in overcrowded housing, having a low birth weight and being exposed to household toxins.

69. The victims of that situation were members of what he described as a collectivity of underdevelopment, to whom the benefits of democracy were denied. The structural unemployment and unequal wealth distribution in the United States led to an underground economy of drugs and crime. The black community functioned in essence as a neocolony exploited for cash by the mother country. Drug trafficking alone was a multi-billion dollar industry in the United States. The ever-widening disparities in living conditions between the United States black and white populations clearly demonstrated the violation of the economic, social and cultural rights of the former. However, the phenomenon was not merely domestic. Despite pronouncements to the contrary, United States foreign policy, implemented through foreign "aid", IMF

and the World Bank, was tied to a form of development that was not determined by the recipient, but under the control of the United States in its role of leader as the developed countries.

70. He expressed his organization's appreciation for the reports submitted under item 8, which had begun to identify the dimensions of the problem and to suggest concrete ways of monitoring it. He urged the Sub-Commission to take all the steps within its power to ensure universal recognition and implementation of economic, social and cultural rights, including the right to development. Failure by the developed world to take the lead in that area would provide other States with a justification for averting their responsibilities.

71. Mr. SOTTAS (World Organization against Torture) said that his organization had for several years been concerned about the harmful consequences for human rights of economic measures adopted to promote growth. In 1989, 1991 and 1993 it had participated in or organized international meetings at which the link between economic policies and human rights had been addressed.

72. It was impossible to define a human rights programme without taking into account both the national and international socio-economic context that influenced the relationship between States and individuals. The considerable progress made at the international level on those issues was a source of gratification, although the reductionist concepts that only took into account part of reality and advocated solutions that were occasionally worse than the ills they claimed to combat still gave cause for concern. In particular, it was unacceptable that the issue of the relationship between economic rights, the right to development and individual liberties should be reduced to threats of economic boycott against States that refused to accept a form of democracy imposed from outside. It was in turn impossible to approve the populist-style rejection of any structural adjustment measure in principle, regardless of the catastrophic economic record of the countries concerned.

73. The world economic situation and that of many countries in the South in particular were very disturbing; urgent measures were needed to restore equilibrium, in terms both of international trade and domestic income redistribution. In such a context, any economic boycott was likely to have serious consequences for the poorest inhabitants of countries whose Government was being penalized for its human rights record. It was preferable to adopt criteria of conditionality in respect of assistance, with priority for health, training and education policies, following the example of the European Community and certain other countries. However, such policies would only bear fruit if they were not jeopardized by structural adjustment programmes that fostered unfettered liberalism. It would be inconsistent to ask a country to develop its health and education sectors, while simultaneously forcing it to adopt policies of out-and-out privatization and drastic cutbacks in the State budget.

74. Examples of such inconsistency were unfortunately manifold, the most striking being the Narmada dam in India, where the development needs of India's economy had threatened to ride roughshod over the basic rights of the local populations. Where modernization was concerned, it was vital to weigh

the expected benefits against detrimental consequences for the rights of inhabitants. Fortunately, albeit rather late, the World Bank had withdrawn its support from the Narmada project. To avoid future wastage of funds and suffering for the population, a human rights impact study should be carried out before undertaking any project on such a scale.

75. He had made a suggestion to that effect at the previous session of the Sub-Commission, by advocating the establishment within financial and economic institutions, of a body of special advisers on the protection of human rights who would carry out human rights impact studies and be empowered to act on any project funded by an international agency. At his organization's May 1993 symposium entitled "Towards economic policies for the prevention of serious human rights violations", a noteworthy proposal had been made, namely, that national NGOs, trade unions and other bodies should be associated with the preparatory meetings between international economic and financial agencies and Governments in order to ensure that the needs and rights of society as a whole were taken into account when development projects were designed or before any structural adjustment measures were adopted. It was also gratifying to note that part II, paragraph 2, of the Vienna Declaration and Programme of Action (A/CONF.157/24) called on regional organizations and prominent international and regional finance and development institutions to assess also the impact of their policies and programmes on the enjoyment of human rights. Nevertheless, that call remained vague; one of the tasks of the Sub-Commission could be to ensure that the appeal did not remain a pipedream.

76. By improving social conditions, economic policies could provide a key to effective enjoyment of all human rights. However, politics was rarely guided by reason and it was necessary to stimulate the occasionally voluntarist steps taken by the authorities concerned.

77. In recent months, several African countries had taken steps to lay the foundations for a genuine democracy, which deserved effective support from international institutions. At the previous sessions of the Sub-Commission and the Commission on Human Rights, his organization had denounced the discrimination practised against the Hutus in Burundi. Although it would be illusory to assume that the massacres, humiliation and conflict had left no scars, new prospects seemed to exist for Burundi and it was to be hoped that the new authorities would achieve their aim of reuniting all members of Burundi society. However, such a policy would require considerable investment, which was beyond the means of Burundi alone, and an unprecedented effort was required on the part of the international community.

78. In Rwanda a peace agreement had been signed on 4 August 1993 between the Government and the Patriotic Front, bringing to an end almost three years of war. Rwanda now faced the task of reconstruction, the main burden of which would fall on the shoulders of the country's inhabitants, although they would be incapable of carrying out that task without international support.

79. The referendum held in June 1993 in Malawi, which marked for the first time acceptance the principle of a multi-party system, was a welcome development and an important step towards a genuine transition to democracy. It deserved the full support of the international community and financial institutions.

80. In all three countries mentioned, cooperation between development assistance agencies such as UNDP, the international financial institutions, the Governments concerned, and international and regional non-governmental organizations was vital. Such cooperation could be based on the machinery set up in the course of negotiations on the new substantive Programme of Action for the Least Developed Countries.

81. Mrs. de VLAMINY (World University Service) speaking on behalf of her own organization and the International Organization for the Development of Freedom of Education (OIDEL), said that those organizations had already drawn the attention of the Sub-Commission to the seminar organized in January 1993 by the Centre for Human Rights on indicators to measure achievements in the realization of economic, social and cultural rights. It was clear from the report of the seminar (A/CONF.157/PC/73) that the final word on indicators had not yet been said. It was the responsibility of the Sub-Commission to take up the matter of indicators and to start at the point where the seminar had ended. She urged the Sub-Commission to take note of the contents and conclusions of the report of the seminar and to formulate its views on the use of indicators in the field of economic, social and cultural rights as a start towards assessing the proper approach by United Nations bodies to violations of second-generation rights.

82. Following the recommendations of the seminar, the Sub-Commission could play an active role in determining conceptually sound indicators which, it had been argued, should automatically lead to the provision of data and statistics. Accordingly, her organization recommended that a special rapporteur on economic, social and cultural rights should be appointed to draft a proposal for core sets of indicators on economic or social rights. One way of performing that task would be to organize a follow-up meeting to the seminar in order to identify concrete proposals regarding the core indicators and the steps required on the part of the United Nations, NGOs and other bodies.

83. The organizations she represented were particularly interested in the conclusions of the seminar regarding the right to, and freedom of, education, although again the seminar had failed to reach any substantive conclusions regarding indicators in that respect. Education should be one of the main focuses of any study by a special rapporteur, as it touched upon all other categories of human rights and upon issues such as social justice and sustainable development. The seminar had encouraged NGOs to become more involved with the conceptual development and monitoring of economic, social and cultural rights, and it was for that reason that the World University Service had submitted reports concerning violations of the right to education, freedom of education and academic freedom in a number of countries to both the Sub-Commission and the Committee on Economic, Social and Cultural Rights. Those reports indicated that violations of economic or social rights were not always caused by lack of resources, but also went hand in hand with violations of political and civil rights.

84. Regarding the conceptualization of indicators on the right to education, she referred to the 1988 Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education, which represented an effort to formulate the limitations on State interference in the educational system, and to the

statement made in February 1993 by OIDEL under item 8 of the agenda of the Commission on Human Rights. In its statement, OIDEL had referred to four indicators relevant to article 13 of the International Covenant on Economic, Social and Cultural Rights. Those indicators showed an understanding of the concern for human rights in the educational sector in many countries where the State forcefully introduced its ideology into education and excluded pluralism.

85. The appointment of a special rapporteur on economic, social and cultural rights was a necessary step to improve monitoring of rights that had been for too long neglected. In particular, an international conference could be one means of defining a comprehensive framework for the realization of the right to education and educational freedoms. Such a conference should include an evaluation of the progress made in implementing the conclusions of the 1990 World Conference on Education for All. Lastly, she referred to paragraph 98 of the Vienna Declaration and Programme of Action, which stated that "there must be a concerted effort to ensure recognition of economic, social and cultural rights at the national, regional and international levels" and that "additional approaches should be examined, such as a system of indicators to measure progress in the realization of the rights set forth in the International Covenant on Economic, Social and Cultural Rights".

86. Mr. NABI FAI (World Muslim Congress), speaking on agenda item 7, said that the New International Economic Order (NIEO) had come to be accepted by the international community as a term that defined political rights. It was a rallying-cry that had helped to bridge the gap between the rich and poor nations and was important because it had enabled the issues pertaining to human rights to be raised in the context of basic needs.

87. The question of Kashmir had a very close bearing on the NIEO because of the powerful message contained in the NIEO. Kashmir, like Bosnia, also revealed the limits and shortcomings of the NIEO; it raised the question whether the developed world would act to comply with the Charter of the United Nations and ensure universal suffrage and empowerment. The situation in Kashmir was a good example of the way in which the developing countries should support the political message of the NIEO, which was to change the status quo or be left behind. However, the NIEO had sparked off a debate between the "haves" and "have-nots" and failed to address the issue of institutionalized government repression and torture in developing nations.

88. The Kashmiri people were the "have-nots" in the present debate. The Government of India had a formidable arsenal at its disposal. The presence of more than 500,000 military and paramilitary forces had destroyed the entire economy of Kashmir, where there was one Indian soldier for every three able-bodied persons. Unemployment was widespread and was being used deliberately to force the people into submission. The majority of the people in Kashmir had suffered discrimination in government employment since the occupation by India in 1947.

89. The CHAIRMAN ruled the speaker out of order because the question of Kashmir was not relevant to the agenda item under discussion.

90. Mr. NABI FAI (World Muslim Congress), continuing his statement, said that the international community and the developed countries in particular had chosen not to support human rights in Kashmir because of the economic potential of India after the cold war.

91. THE CHAIRMAN again ruled the speaker out of order and called on the next speaker.

92. Mr. ROMAZZOTTI (International Movement ATD Fourth World), speaking on agenda item 8, said that the attention of the international community was being increasingly drawn to the links between extreme poverty and human rights. Paragraph 25 of the Vienna Declaration issued at the World Conference on Human Rights affirmed that extreme poverty and social exclusion constituted a violation of human dignity. The proposed study on human rights and extreme poverty would therefore be assured of a broad consensus. The originality of the study lay in the fact that it was being carried out in partnership with the poorest and those committed to working alongside them. His organization was among those which had made that commitment and had already communicated to the Special Rapporteur on human rights and extreme poverty the ideas it had been developing on the subject for several years.

93. He highlighted the reference made by the Special Rapporteur to General Assembly resolution 47/196, which declared 17 October International Day for the Eradication of Poverty, when all people, and especially the poorest, would be able to denounce poverty. The date had been chosen on the initiative of Father Joseph Wresinski, the founder of the Movement and representatives of very poor families from around the world. His organization fully agreed with the view of the Special Rapporteur that the study should be a human rights undertaking and, through the participation of the poorest themselves, an act of human rights. The Special Rapporteur had also said that he would need to cooperate with the NGOs in the field which were working alongside the poorest. Some NGOs had already met in a working group of the Fourth World NGO Committee to consult their members in the field and transmit their experiences and the ideas of the poorest to the Special Rapporteur.

94. Regarding the holding of a seminar on "Extreme poverty and the denial of human rights", requested by the Commission on Human Rights, the Special Rapporteur's desire for a genuine dialogue between persons living in extreme poverty and persons working alongside them, on the one hand, and experts on human rights and poverty, on the other, would constitute effective participation by the poorest in the conduct of that study within the United Nations itself. He assured the Special Rapporteur of the Movement's full support. He stressed the importance of the question posed by the Special Rapporteur concerning a definition of extreme poverty in terms of the indivisibility of human rights.

95. The Special Rapporteur also emphasized that, if the poorest were treated as partners and consulted, extreme poverty would be better understood, and that it was important for human dignity to be respected in the realization of human rights for all. His organization's view was that it was essential for the poorest, who were often the most ill-equipped to assert their rights, to participate in the discussion on the means to ensure and promote the realization of any right.

96. Mr. DIAGANA (African Association of Education for Development), speaking on agenda item 8, said that Africa was in a state of underdevelopment because human rights and fundamental freedoms were not respected. Slavery and colonialism were responsible for that situation, as were African leaders, who lacked the political will to develop their countries. They violated economic, social and cultural rights, while the international community remained indifferent and even lent them its support.

97. In its preliminary report on human rights and extreme poverty (E/CN.4/Sub.2/1993/16) the Sub-Commission had defined poverty and extreme poverty. The report proposed studies and seminars to ascertain the number of persons in that situation, and noted that extreme poverty was a matter of increasing concern to the international community. However, the physical and moral suffering constituted by famine and poverty had not been alleviated, and humanitarian assistance, backed by effective technical, technological and political assistance, was needed.

98. A different but equally disquieting problem was the matter of the forced expulsions referred to under item 8 of the annotated agenda. In the Islamic Republic of Mauritania, for example, during the so-called Senegalese-Mauritanian conflict, the Mauritanian Government had taken advantage of the situation to carry out a long established plan of ethnic cleansing. Discrimination, especially racial discrimination against the black community, which had been established as a system by the Government since independence in 1960, had increased after the current President had taken power. Some of the blacks who had felt victimized had reacted by publishing a manifesto revealing the injustice they have been suffering. The arrest, trial, torture and death in prison of four intellectuals had followed and the entire black community had been subjected to savage repression in an attempt to silence it.

99. The CHAIRMAN ruled the speaker out of order because his remarks bore no relation to the agenda item under discussion.

100. Mr. DIAGANA, continuing his statement, said that between April and June 1989 the Mauritanian Government had expelled over 200,000 black Mauritanians to Senegal and Mali.

101. The CHAIRMAN again ruled the speaker out of order and called on the next speaker.

102. Mr. RETUREAU (World Federation of Trade Unions) noted that the United Nations Centre on Transnational Corporations, which had been one of the institutions of the United Nations system dealing directly with economic, social and cultural rights, had been closed down. However, it was the transnational corporations that determined the international division of labour today and thus nullified the economic sovereignty of States. They undermined human rights, by violating the workers' social, economic and political rights with the active collusion of Governments, especially those of the industrialized countries.

103. Within the United Nations system, the financial institutions undermined and thwarted the efforts of the other technical institutions. Their extremist

neo-liberal ideology was incompatible with the direction the United Nations was taking with respect to the right to development, economic sovereignty and technical assistance. IMF's policy of structural adjustment had resulted in considerable social upheaval, the elimination of jobs on a wide scale, and privatization of public services, which were no longer operated to meet the community's needs but according to the financial criteria of private profit. The State's role of providing social welfare services and ensuring the effective realization of economic, social and cultural rights had been seriously impaired. Workers who protested against privatization were often confronted with harsh repression.

104. The Governments which had abdicated their social and economic responsibilities could only plead "external constraints" or the "international market" to explain their powerlessness, especially in the face of mounting unemployment. The solutions applied so far had cost the workers their social rights, lowered their living standards and violated their freedoms. Poverty threatened those workers who had been unemployed for a long time, including those in the industrialized countries. Governments chose to treat the resultant social problems as public security problems, with well-known adverse consequences for human rights.

105. Indebtedness operated as a sophisticated means of economic interference and imposition of unequal relations, and represented an instrument of neo-colonialist exploitation by the most powerful countries. A consistent United Nations policy to promote sustainable development and the effective realization of economic, social and cultural rights was indispensable, because the dictatorship of monetarist demands and the neo-liberal economic policies of the financial institutions had led to human tragedies.

106. The recent talk in those institutions of "temporary safety nets for the most disadvantaged" or the World Bank's new insistence on priority for basic health services rang hollow because, in Africa for example, where the people were suffering from major endemic diseases, the already precarious health systems had not withstood structural adjustment. Furthermore, the prices charged for medicines by the large pharmaceutical corporations ensured them big profits but put those medicines beyond the reach of those who needed them in the countries where the epidemics were wreaking the greatest havoc.

107. In GATT, trade matters were discussed without regard for their impact on the effective enjoyment of economic, social and cultural rights. Social provisions should be included in the GATT agreements and regional economic agreements in order to protect the most fundamental rights of the workers from unchecked economic competition; a universal core of fundamental rights must be universally respected by all economic partners.

108. At the same time, development assistance must be considerably increased, a fair and remunerative price must be paid for commodities, and improved access to economic and financial markets must be facilitated. The work of the United Nations and its specialized and financial agencies must be directed to promoting the NIEO and social progress, in conformity with Articles 55 and 56 of the Charter, the International Covenant on Economic, Social and Cultural

Rights, and the various declarations of the General Assembly. The present tendency to leave development problems to IMF and the World Bank and to abandon work on transnational corporations was disturbing.

109. In conclusion, he expressed the hope that the experts of the Sub-Commission would continue and expand their research and discussion on the effective realization of economic, social and cultural rights, in order to make a positive impact on the financial institutions and promote popular participation by States and the United Nations system.

110. Mr. ARALA (Sierra Club Legal Defense Fund), speaking on agenda item 8, said that environmental concerns were inseparable from economic, social and cultural rights. His organization welcomed the link between extreme poverty and environmental degradation made by the Special Rapporteur, Mr. Despouy, in his report on human rights and extreme poverty (E/CN.4/Sub.2/1993/16). Environmental degradation was often caused by extremely poor people, who had very little and were therefore forced to survive by relying on the land. The result was erosion, deterioration of water quality and desertification. In South Africa, the apartheid system, which had deliberately isolated and impoverished the majority, had produced desertification and severe erosion.

111. Mr. Sachar's report on the right to adequate housing (E/CN.4/Sub.2/1993/15) also established the strong link between housing and the environment. In the Sudan, people had been settled in areas of extreme toxic contamination, often close to or in areas that had formerly been waste dumps. In other instances, homeless people had squatted in inappropriate areas in inappropriate numbers, causing hillside erosion and deterioration of water quality because of poor sanitation. In Burma, the Government had violated the right to adequate housing by granting huge timber concessions to foreign companies. The resulting deforestation had forced ethnic national groups, which had traditionally lived in ecological harmony with the land, to cut down growing trees, thus upsetting the ecological balance.

112. Population transfers were another cause of ecological destruction, as was indicated in the preliminary report on the subject by Mr. Al-Khasawneh and Mr. Hatano (E/CN.4/Sub.2/1993/17). The forcible displacement of people again led to environmental degradation. In Guatemala, the armed conflict had created a refugee population that had imposed an additional ecological burden on Mexico, and internally displaced persons had destroyed the rain forest in Guatemala.

113. His organization was encouraged by the fact that the link between economic, social and cultural rights and the environment had been recognized, and hoped that the Special Rapporteurs would continue to explore the environmental aspects of the issues under their mandates.

114. Ms. MEINDERSMA (International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities), speaking on agenda item 8, said that the report on the human rights dimensions of population transfers provided a tool with which to address the lingering conflicts and current gross human rights violations caused by population transfers; the analysis of the problem by the special rapporteurs provided a basis for legal and practical measures to prevent population transfers in the future.

115. In Cyprus, the dispute had been made more complex by population transfers and ethnic separation. The United Nations-sponsored negotiations had been stalled, inter alia by Turkey's attempts to continue population transfer policies. A solution to the conflict in Western Sahara had been thwarted by the settlement of Moroccan citizens on the occupied land.

116. The Economic and Social Council had recently recognized that the Jewish Israeli settlements in occupied Palestinian territory were illegal and an obstacle to peace. The Chinese had resorted to implanting Chinese settlers as a means of colonizing Tibet, a policy that had even been supported by supplementary food aid from the World Food Programme. In the interest of obtaining a true and accurate picture of demographic manipulation, the United Nations human rights bodies should insist on independent and reliable data.

117. Discriminatory State-ordered mass expulsions had taken place recently in southern Bhutan, and Austria had enacted a xenophobic law to expel immigrants on an arbitrary basis.

118. There was currently worldwide recognition of the negative consequences of population transfer policies and practices. In Ethiopia, a special prosecutor had been appointed to bring to justice the officials of the previous Government who had been responsible for population transfers and other gross violations. The Sub-Commission could benefit from the lessons of the many cases before it with a view to preventing such nefarious practices once and for all.

119. Her organization recommended that the Sub-Commission should create a separate agenda item to reflect the gravity and importance of the human rights at stake when population displacements occurred. It further recommended that the Special Rapporteurs should continue working to develop a specific legal instrument prohibiting population transfers. Attention should be given to possible solutions in cases of past population transfers, including the question of compensation and other affirmative action for victims. Mechanisms should be developed to stop ongoing population transfers, as well as provide opportunities for early warning and prevention in situations where transfer policies were manifest or pending. Subsequent reports should examine more deeply the issues of State responsibility and remedies for population transfers.

120. Mr. AMDAH (International Commission of Jurists) said that despite the encouraging words of the Vienna Declaration and Programme of Action and the ratification of the Convention on the Elimination of All Forms of Discrimination against Women by 111 Governments, many Governments had made reservations that emptied the Convention of its content. In several countries, a variety of traditional, religious and cultural practices, as well as government policies, continued to oppress, exploit and discriminate against women. Their role and equal participation in parliament was not formally recognized, and in several third-world nations the burden of agricultural activity was borne by women. Nevertheless, they lacked access to agricultural credits, loans and other facilities, including legal title to the lands they cultivated.

121. National and international programmes of action were urgently needed to ensure women's active participation in development. Specific actions should include assistance to women's grass-roots organizations, legal recognition of the economic, social and political status of women, as well as access to loans, credits, land title and full inheritance rights.

122. Turning to the question of the realization of economic, social and cultural rights, he said that in most developing nations large sections of the population lived in absolute poverty. For millions of the world's poorest, the right to development was a question of survival. His organization welcomed the final report of the Special Rapporteur and the recommendation of the World Conference on Human Rights regarding the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights. It hoped that that recommendation, together with the recommendations of the Special Rapporteur, would be put into effect by all States in order to achieve effective implementation of the Covenant.

123. With regard to the "ongoing barriers" outlined in the final report of the Special Rapporteur, he drew attention to a number of obstacles which hindered the realization of economic, social and cultural rights and the right to development. Firstly, his organization condemned corrupt practices such as the fraudulent enrichment of senior government officials. The negative impact of such action on the right to development should be the subject of a special study by the Commission. Secondly, the increased militarization and expenditure on arms, in the absence of any threat of war or foreign invasion, was intended for the subjugation and repression of the defenceless civilian population. It had also led to reductions in welfare programmes, health services and educational facilities. Structural adjustment measures had been extolled by the World Bank as the necessary tool to establish conditions of sustainable development and, in many cases, they were said to be the essential precondition for the realization of economic, social and cultural progress. However, in many countries those measures, which included currency devaluations, massive staff retrenchment and imposition of new taxes, had not resulted in any marked improvement in economic performance. Economic policies that were adopted by undemocratic, heavily indebted developing countries with scant regard for public consultation and governmental accountability turned out to be counter-productive and costly. They resulted in, inter alia large-scale unemployment, repression of trade unions and the reduction of government welfare expenditure in order to reduce costs. They were inimical to the effective realization of the right to development.

124. The single most important obstacle to the realization of economic, social and cultural rights was ethnic conflict and violence, which often resulted in massive violations of human rights. In recent years, the massive violations in Angola, Liberia, Somalia and Bosnia-Herzegovina had necessitated increased humanitarian assistance. His organization called for the development of early-warning systems in future situations of potential conflict.

The meeting rose at 9.05 p.m.